STATUTORY INSTRUMENTS

1976 No. 726

ROAD TRAFFIC

The Public Service Vehicles (Conditions of Fitness, Equipment and Use) (Amendment) Regulations 1976

Made - - - -	*9th May* 1976
Laid before Parliament	*19th May* 1976
Coming into Operation	*9th June* 1976

The Secretary of State for the Environment, in exercise of the powers conferred by sections 129(1) and 160(1) of the Road Traffic Act 1960**(a)**, and now vested in him**(b)**, and of all other enabling powers, and after consultation with representative organisations in accordance with the provisions of section 260(2) of that Act, hereby makes the following Regulations:—

1. These Regulations shall come into operation on 9th June 1976 and may be cited as the Public Service Vehicles (Conditions of Fitness, Equipment and Use) (Amendment) Regulations 1976.

2. The Public Service Vehicles (Conditions of Fitness, Equipment, and Use) Regulations 1972**(c)** shall be amended so as to have effect in accordance with the following provisions of these Regulations.

3. In Regulation 22 (Steps, platforms and stairs), in paragraph (1) the words "or less than 10 inches" shall be omitted.

4. In Regulation 25 (Doors)—

(*a*) at the end of condition (*f*) of paragraph (1) there shall be added the words "but there shall be in the vehicle no means of a mechanical nature the operation of which would prevent the devices mentioned in the said condition (*b*) (devices for allowing entrance and exit doors to be opened in an emergency) when deliberately used, from allowing the entrance or exit doors for which they are provided to be readily opened;";

(*b*) for condition (*h*) of paragraph (1) there shall be substituted—

"(*h*) any vehicle having a power-operated door which, when open or being operated, projects laterally beyond the body of the vehicle at its widest point by more than 3 inches, shall be so constructed or adapted that it cannot move from rest under its own power when the door is open, and the door shall not be capable of being operated while the vehicle is in motion, except by the operation of such a device as is mentioned in condition (*b*) above (not being a device provided for use in circumstances of normal operation only by a person authorised by the owner of the vehicle);";

(a) 1960 c. 16.
(b) S.I. 1970/1681 (1970 III, p. 5551).
(c) S.I. 1972/751 (1972 II, p. 2341).

(*c*) at the end of condition (*j*) of paragraph (1) there shall be added the words "and the vertical edges of any power-operated door which, when open or being operated, projects laterally beyond the body of the vehicle at its widest point by not more than 3 inches and which is installed in a vehicle not constructed or adapted as mentioned in condition (*h*) above, shall be fitted with soft rubber;"; and

(*d*) after paragraph (2) there shall be added the following paragraph—

"(3) In determining for the purposes of conditions (*h*) and (*j*) of paragraph (1) above whether, or the distance by which, a power-operated door, when open or being operated, projects laterally beyond the body of the vehicle at its widest point any moulding on the outside of the vehicle shall be disregarded.".

5. Regulation 37 (Wireless apparatus) and paragraph 22 of Schedule 2 shall be deleted.

6. In Regulation 41 (Fire extinguishing apparatus), in paragraph (4) for a reference to "B.S. 1721: 1951 or B.S. 1721: 1960," there shall be substituted a reference to "B.S. 1721: 1951, B.S. 1721: 1960 or B.S. 1721: 1968,".

7. In Schedule 2 (Exceptions from the conditions prescribed in Part II as applicable to vehicles registered before certain dates)—

(*a*) in sub-paragraph (1) of paragraph 7 for the words "the lower deck" there shall be substituted the words "any gangway on the lower deck of that vehicle which is within 2 feet of any entrance or exit on that deck.";

(*b*) after sub-paragraph (3) of paragraph 12 there shall be inserted the following sub-paragraph:—

"(3A) Paragraph (5) of the said Regulation 23 shall not apply in the case of a vehicle registered on or after 1st April 1959 and before 28th October 1964 which has a seating capacity exceeding 45 passengers if—

(*a*) the vehicle is provided with two exits (of which neither is a secondary emergency exit) and those exits are not on the same side of the vehicle, and

(*b*) in a case where those exits are so placed that the distance between their centres is less than 10 feet, a secondary emergency exit is provided in such a position that there is a distance of not less than 10 feet between the nearest points of the openings of that exit and of whichever of the exits mentioned in sub-paragraph (*a*) above is the nearer to that exit. For the purpose of this paragraph the reference to the distance between the centres and between the nearest points of the openings of the two exits there mentioned shall be construed in accordance with Regulation 23(2)(*e*).";

(*c*) for sub-paragraph (4) of paragraph 12 there shall be substituted the following sub-paragraph:—

"(4) Paragraph (5) of the said Regulation 23 shall apply in the case of a vehicle registered on or after 28th October 1964 and before 19th June 1968 with the substitution in sub-paragraph (*c*) of a reference to

15 feet for the reference to 10 feet, and with the omission of sub-paragraph (*d*).".

Signed by authority of
the Secretary of State
9th May 1976

John Gilbert,
Minister for Transport,
Department of the Environment.

EXPLANATORY NOTE

(*This Note is not part of the Regulations.*)

These Regulations amend the Public Service Vehicles (Conditions of Fitness, Equipment and Use) Regulations 1972 so as to—

(1) remove from Regulation 22(1) the requirement for a minimum height of 10 inches for a rear platform or the top tread of the lowest step at entrances and certain exits (Regulation 3);

(2) require that there shall be no means of mechanical operation in a vehicle which could be used to prevent the operation of the devices (emergency opening devices) provided in pursuance of Regulation 25(1) (*b*) for opening a closed door (Regulation 4(*a*));

(3) modify the requirements of Regulation 25(1)(*h*) concerning power operated doors installed in vehicles which are constructed or adapted so as to prevent the vehicle moving when the door is open, or the door opening when the vehicle is in motion (Regulation 4(*b*));

(4) provide that where such doors project beyond the body of the vehicle by no more than 3 inches and are installed in vehicles not constructed or adapted as mentioned in Regulation 25(1)(*h*), their vertical edges shall be fitted with soft rubber (Regulation 4(*c*));

(5) delete Regulation 37 (Wireless apparatus) (Regulation 5);

(6) extend the exemption provided in paragraph (4) of Regulation 41 from the requirements of that Regulation to carbon tetrachloride (C.T.C.) or chlorobromomethane (C.B.M.) fire extinguishers which have a capacity of 1 quart and comply with B.S. 1721: 1968 (Regulation 6); and

(7) modify the exceptions from the conditions prescribed in Part II of the Regulations of 1972 as applicable to vehicles registered or first used before certain dates (Regulation 7).

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